

**United States Bankruptcy Court**  
**Northern District of Illinois Eastern Division**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Smith, Brian Joseph</b>	Name of Joint Debtor (Spouse) (Last, First, Middle): <b>Smith, Claire, Marie</b>
All Other Names used by the Debtor in the last 8 years (include married, maiden and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden and trade names): <b>FKA Claire Lauraitis</b>
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * <b>***-**-5889</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * <b>***-**-3313</b>
Street Address of Debtor (No. & Street, City, and State): <b>1450 Birch Avenue</b> <b>Hanover Park IL</b> <b>60133</b>	Street Address of Joint Debtor (No. & Street, City, and State): <b>1450 Birch Avenue</b> <b>Hanover Park IL</b> <b>60133</b>
County of Residence or of the Principal Place of Business: <b>COOK</b>	County of Residence or of the Principal Place of Business: <b>COOK</b>
Mailing Address of Debtor (if different from street address)	Mailing Address of Joint Debtor (if different from street address):
Location of Principal Assets of Business Debtor (if different from street address above):	

<b>Type of Debtor</b> (Form of Organization) (Check <b>one</b> box)  <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form</i>  <input type="checkbox"/> Corporation (includes LLC & LLP)  <input type="checkbox"/> Partnership  <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check <b>one</b> box.)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C §101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other  <b>Tax-Exempt Entity</b> (Check box, if applicable.)  <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check <b>one</b> box)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input checked="" type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check <b>one</b> Box)  <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.
--	---	--

<b>Filing Fee</b> (Check <b>one</b> box)  <input checked="" type="checkbox"/> Filing Fee attached  <input type="checkbox"/> Filing Fee to be paid in installments (applicable in individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> <b>Check one box</b> <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D) <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D) <b>Check if:</b> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. <b>Check all applicable boxes:</b> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one of more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
--	---

<b>Statistical/Administrative Information</b> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.	<b>This space is for court use only</b>										
<b>Estimated Number of Creditors</b> <table border="1"><tr><td><input checked="" type="checkbox"/> 1-49</td><td><input type="checkbox"/> 50-99</td><td><input type="checkbox"/> 100-199</td><td><input type="checkbox"/> 200-999</td><td><input type="checkbox"/> 1,000-5,000</td><td><input type="checkbox"/> 5,001-10,000</td><td><input type="checkbox"/> 10,001-25,000</td><td><input type="checkbox"/> 25,001-50,000</td><td><input type="checkbox"/> 50,001-100,000</td><td><input type="checkbox"/> Over 100,000</td></tr></table>	<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> Over 100,000	
<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> Over 100,000		
<b>Estimated Assets</b> <table border="1"><tr><td><input type="checkbox"/> \$0 to \$50,000</td><td><input checked="" type="checkbox"/> \$50,001 to \$100,000</td><td><input type="checkbox"/> \$100,001 to \$500,000</td><td><input type="checkbox"/> \$500,001 to \$1 million</td><td><input type="checkbox"/> \$1,000,001 to \$10 million</td><td><input type="checkbox"/> \$10,000,001 to \$50 million</td><td><input type="checkbox"/> \$50,000,001 to \$100 million</td><td><input type="checkbox"/> \$100,000,001 to \$500 million</td><td><input type="checkbox"/> \$500,000,001 to \$1 billion</td><td><input type="checkbox"/> More than \$1 billion</td></tr></table>	<input type="checkbox"/> \$0 to \$50,000	<input checked="" type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion	
<input type="checkbox"/> \$0 to \$50,000	<input checked="" type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion		
<b>Estimated Liabilities</b> <table border="1"><tr><td><input type="checkbox"/> \$0 to \$50,000</td><td><input type="checkbox"/> \$50,001 to \$100,000</td><td><input checked="" type="checkbox"/> \$100,001 to \$500,000</td><td><input type="checkbox"/> \$500,001 to \$1 million</td><td><input type="checkbox"/> \$1,000,001 to \$10 million</td><td><input type="checkbox"/> \$10,000,001 to \$50 million</td><td><input type="checkbox"/> \$50,000,001 to \$100 million</td><td><input type="checkbox"/> \$100,000,001 to \$500 million</td><td><input type="checkbox"/> \$500,000,001 to \$1 billion</td><td><input type="checkbox"/> More than \$1 billion</td></tr></table>	<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input checked="" type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion	
<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input checked="" type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion		



<b>Voluntary Petition</b> This page must be completed and filed in every case)		<b>Name of Debtor(s)</b> <b>Smith, Brian Joseph</b> <b>Claire Marie Smith</b>	
<b>All Prior Bankruptcy Case Filed Within Last 8 Years (if more than two, attach additional sheet)</b>			
Location Where Filed: <b>None</b> <b>None</b>		Case Number:	Date Filed:
<b>Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (if more than one, attach additional sheet)</b>			
Name of Debtor: <b>None</b>		Case Number:	Date Filed:
District:	Relationship:	Judge:	

<b>Exhibit A</b> (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15 (d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  <input type="checkbox"/> Exhibit A is attached and made a part of this petition.	<b>Exhibit B</b> (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 USC § 342(b).  <b>/s/ Jason A Kara</b>  <b>Jason A Kara</b> <b>Dated: 05/04/2009</b>
---	---

<b>Exhibit C</b> Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No.
--

<b>Exhibit D</b> (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) <input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input checked="" type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.
---

<b>Information Regarding the Debtor - Venue</b> (Check the Applicable Box.) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.
---

<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> (Check all applicable boxes.) <input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of Landlord) <input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1))
---



**Voluntary Petition**

This page must be completed and filed in every case)

**Name of Joint Debtor(s)****Smith, Brian Joseph  
Claire Marie Smith****Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**/s/ Brian Joseph Smith**  
**Brian Joseph Smith**

**Dated: 04/29/2009**

**/s/ Claire Marie Smith**  
**Claire Marie Smith**

**Dated: 04/29/2009****Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition

(Check only **one** box.)

- ☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

---

**(Signature of Foreign Representative)**

---

**(Printed Name of Foreign Representative)****<< Sign & Date on Those Lines****<< Sign & Date on Those Lines****Signature of Attorney****/s/ Jason A Kara**

Signature of Attorney for Debtor(s)

**Jason A Kara**

Printed Name of Attorney for Debtor(s)

**LAW OFFICES OF PETER FRANCIS GERACI**  
**55 E. Monroe Street #3400**  
**Chicago IL 60603**  
**312.332.1800 (PH)**

**Date: 05/04/2009**

\* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedule is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

---

**Signature of Authorized Individual**

---

**Printed Name of Authorized Individual**

---

**Title of Authorized Individual**

---

**Date****Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

---

**Printed Name and title, if any, of Bankruptcy Petition Preparer**

---

Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)  
(Required by 11 U.S.C. § 110.)

---

**Address**

---

**Date**

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.*



**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Brian Joseph Smith and Claire Marie Smith, Debtors

Bankruptcy Docket #:

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning:** You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.

☐ 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Dated: 04/29/2009

/s/ Brian Joseph Smith  
 \_\_\_\_\_  
 Brian Joseph Smith



**Sign & Date  
Here**

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Brian Joseph Smith and Claire Marie Smith, Debtors

Bankruptcy Docket #:

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning:** You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.

☐ 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Dated: 04/29/2009

**/s/ Claire Marie Smith**  
**Claire Marie Smith**

**Sign & Date  
Here**

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors****SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

Name of Schedule	Attached YES   NO	Pages	AMOUNTS SCHEDULED		
			Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$220,000	\$-	\$-
SCHEDULE B - Personal Property	Yes	3	\$33,450	\$-	\$-
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$272,023	\$-
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$2,560	\$-
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$75,100	\$-
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$8,740
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$6,725
<b>TOTALS</b>			<b>\$ 253,450</b> TOTAL ASSETS	<b>\$ 349,683</b> TOTAL LIABILITIES	

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

**Brian Joseph Smith and Claire Marie Smith, Debtors**

Bankruptcy Docket #:

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159**

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C § 159**

**Summarize the following types of liabilities, as reported in the Schedules, and total them**

Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 2,560.00
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 0
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
<b>TOTAL</b>	<b>\$ 2,560</b>

**State the following:**

Average Income (from Schedule I, Line 16)	\$ 8,739.79
Average Expenses (from Schedule J, Line 18)	\$ 6,725.00
Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20)	\$ 11,237.25

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 34,723.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 2,560.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 75,100.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 109,823.00

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors**

**SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
1450 Birch Avenue Hanover Park, IL 60133 - (Debtors primary residence)	Fee Simple	J	\$ 220,000	\$ 249,694
<b>Total Market Value of Real Property</b> (Report also on Summary of Schedules)			<b>\$220,000.00</b>	



# UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors**

### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simply state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	NONE	Description and Location of Property	HWJC	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or
01. Cash on Hand	X			
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		<b>Checking account with Charter One Acct# 9901</b> <b>Checking account with Harris Bank Acct # 9301</b> <b>Checking account with Harris Bank</b> <b>Savings account with Harris Bank</b>	<b>J</b> <b>J</b> <b>W</b> <b>W</b>	<b>\$ 50</b> <b>\$ 150</b> <b>\$ 150</b> <b>\$ 300</b>
03. Security Deposits with public utilities, telephone companies, landlords and others.	X			
04. Household goods and furnishings, including audio, video, and computer equipment.		<b>Household goods; TV, DVD player, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, 3 bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware, computer, end tables, loveseat, lawn mower, grill</b>		<b>\$ 2,500</b>
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		<b>Books, Compact Discs, Tapes/Records, Family Pictures, DVDs</b>		<b>\$ 100</b>
06. Wearing Apparel		<b>Necessary wearing apparel.</b>		<b>\$ 100</b>
07. Furs and jewelry.		<b>Earrings, watch, costume jewelry, wedding rings</b>		<b>\$ 300</b>



**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors****SCHEDULE B - PERSONAL PROPERTY**

Type of Property	NONE	Description and Location of Property	H W J C	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or
08. Firearms and sports, photographic, and other hobby equipment.	<b>X</b>			
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		<b>Term Life Insurance - No Cash Surrender Value.</b>	<b>H</b>	<b>\$ 0</b>
		<b>Term Life Insurance - No Cash Surrender Value.</b>	<b>W</b>	<b>\$ 0</b>
10. Annuities. Itemize and name each issuer.	<b>X</b>			
11. Interests in an educational IRA as defined in 26 U.S.C 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(B)(1). Give particulars. (File separately the records(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)).	<b>X</b>			
12. Interest in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars		<b>Pension w/ Employer/Former Employer - 100% Exempt.</b>	<b>H</b>	<b>\$ 7,500</b>
		<b>Pension w/ Employer/Former Employer - 100% Exempt.</b>	<b>W</b>	<b>\$ 5,000</b>
13. Stocks and interests in incorporated and unincorporated businesses.	<b>X</b>			
14. Interest in partnerships or joint ventures. Itemize. Itemize.	<b>X</b>			
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	<b>X</b>			
16. Accounts receivable	<b>X</b>			
17. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	<b>X</b>			
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	<b>X</b>			
19. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			
20. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<b>X</b>			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.	<b>X</b>			

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors**

**SCHEDULE B - PERSONAL PROPERTY**

Type of Property	N O N E	Description and Location of Property	H W J C	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or
22. Patents, copyrights and other intellectual property. Give particulars.	<b>X</b>			
23. Licenses, franchises and other general intangibles.	<b>X</b>			
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	<b>X</b>			
25. Autos, Truck, Trailers and other vehicles and accessories.		<b>FMC - 2003 Ford Escape with over 72,000 miles</b>	<b>J</b>	<b>\$ 7,975</b>
		<b>Wells Fargo - 2003 Ford Escape with over 90,000 miles</b>	<b>J</b>	<b>\$ 9,325</b>
26. Boats, motors and accessories.	<b>X</b>			
27. Aircraft and accessories.	<b>X</b>			
28. Office equipment, furnishings, and supplies.	<b>X</b>			
29. Machinery, fixtures, equipment, and supplie used in business.	<b>X</b>			
30. Inventory	<b>X</b>			
31. Animals		<b>Family Pets/Animals - Dog</b>		<b>\$ 0</b>
32. Crops-Growing or Harvested. Give particulars.	<b>X</b>			
33. Farming equipment and implements.	<b>X</b>			
34. Farm supplies, chemicals, and feed.	<b>X</b>			
35. Other personal property of any kind not already listed. Itemize.	<b>X</b>			
<b>Total</b> (Report also on Summary of Schedules)				<b>\$33,450</b>



**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

**Brian Joseph Smith and Claire Marie Smith, Debtors**

**SCHEDULE C - PROPERTY CLAIMED EXEMPT**

Debtor claims the exemptions to which debtor is entitled under:  
 (Check one box)

☐ Check if debtor claims a homestead exemption  
 that exceeds \$136,875

☒ 11 U.S.C. § 522(b)(2)

☐ 11 U.S.C. § 522(b)(3)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
00. Real Property <b>1450 Birch Avenue Hanover Park, IL 60133 - (Debtors primary residence)</b>	735 ILCS 5/12-901	\$ 30,000	\$ 220,000
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives. <b>Checking account with Charter One Acct# 9901</b>	735 ILCS 5/12-1001(b)	\$ 50	\$ 50
<b>Checking account with Harris Bank Acct # 9301</b>	735 ILCS 5/12-1001(b)	\$ 150	\$ 150
<b>Checking account with Harris Bank</b>	735 ILCS 5/12-1001(b)	\$ 150	\$ 150
<b>Savings account with Harris Bank</b>	735 ILCS 5/12-1001(b)	\$ 300	\$ 300
04. Household goods and furnishings, including audio, video, and computer equipment. <b>Household goods; TV, DVD player, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, 3 bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware, computer, end tables, loveseat, lawn mower, grill</b>	735 ILCS 5/12-1001(b)	\$ 2,500	\$ 2,500
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles. <b>Books, Compact Discs, Tapes/Records, Family Pictures, DVDs</b>	735 ILCS 5/12-1001(a)	\$ 100	\$ 100
06. Wearing Apparel <b>Necessary wearing apparel.</b>	735 ILCS 5/12-1001(a),(e)	\$ 100	\$ 100
07. Furs and jewelry. <b>Earrings, watch, costume jewelry, wedding rings</b>	735 ILCS 5/12-1001(b)	\$ 300	\$ 300

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

**Brian Joseph Smith and Claire Marie Smith, Debtors**

**SCHEDULE C - PROPERTY CLAIMED EXEMPT**

Debtor claims the exemptions to which debtor is entitled under:

(Check one box)

☒ 11 U.S.C. § 522(b)(2)

☐ 11 U.S.C. § 522(b)(3)

☐ Check if debtor claims a homestead exemption that exceeds \$136,875

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
12. Interest in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars <b>Pension w/ Employer/Former Employer - 100% Exempt.</b>	735 ILCS 5/12-1006	\$ 7,500	\$ 7,500
<b>Pension w/ Employer/Former Employer - 100% Exempt.</b>	735 ILCS 5/12-1006	\$ 5,000	\$ 5,000
25. Autos, Truck, Trailers and other vehicles and accessories. <b>FMC - 2003 Ford Escape with over 72,000 miles</b>	735 ILCS 5/12-1001(c)	\$ 2,400	\$ 7,975
<b>Wells Fargo - 2003 Ford Escape with over 90,000 miles</b>	735 ILCS 5/12-1001(c)	\$ 2,400	\$ 9,325

## UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Joseph Smith and Claire Marie Smith, Debtors

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor H W J C	* Date Claim was Incurred * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
1 <b>Ford Motor Credit</b> Attn: Bankruptcy Dept. Po Box Box 542000 Omaha NE 68154  Acct No.: 39243680	J	Dates: 2005 Nature of Lien: Lien on Vehicle - PMSI Market Value : \$ 7,975 Intention: None *Description: FMC - 2003 Ford Escape with over 72,000 miles				\$ 8,305	\$ 330
2 <b>HFC</b> Attn: Bankruptcy Dept. Po Box 1547 Chesapeake VA 23327  Acct No.: 1002	J	Dates: 2007-2009 Nature of Lien: Mortgage Market Value : \$ 220,000 Intention: None *Description: 1450 Birch Avenue Hanover Park, IL 60133 - (Debtors primary residence)				\$ 247,194	\$ 27,194
3 <b>HFC</b> Bankruptcy Dept PO Box 1547 Chesapeake VA 23327  Acct No.: 1004	J	Dates: 2009 Nature of Lien: Mortgage Arrears Market Value : \$ 220,000 Intention: None *Description: 1450 Birch Avenue Hanover Park, IL 60133 - (Debtors primary residence)				\$ 2,500	\$ 2,500
4 <b>Wells Fargo</b> Attn: Bankruptcy Dept. Po Box 29704 Phoenix AZ 85038  Acct No.: 50231501280869001	J	Dates: 2008 Nature of Lien: Lien on Vehicle - Non-PMSI Market Value : \$ 9,325 Intention: None *Description: Wells Fargo - 2003 Ford Escape with over 90,000 miles				\$ 14,024	\$ 4,699

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors**

---

Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Code debtor	H W J C	* Date Claim was Incurred * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any

**Total****\$ 272,023****\$ 34,723**(Report also on  
Summary of  
Schedules.)(if applicatble,  
report also on  
Statistical  
Summary of  
Certain Liabilities  
and Related  
Data.)

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors****SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

☐ **Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.**

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ **Domestic Support Obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

☐ **Extensions of Credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

☐ **Deposits by individuals**

Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

☒ **Taxes and certain other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to maintain the capital of insured depository institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Claims for death or personal injury while debtor was intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju



**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors**

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incured and Consideration For Claim	Contingent	Unliquidated	Disputed	Amount of Claim	Amount Entitled to Priority
<b>1 IRS Priority Debt</b> Attn: Bankruptcy Dept. Box 21126 Philadelphia PA 19114  <b>Account No.</b>		<b>J</b>	Reason: Federal Income Tax  Dates: 2008				<b>\$ 2,560</b>	<b>\$ 2,560</b>
<b>Total Amount of Unsecured Priority Claims</b> (Report also on Summary of Schedules)							<b>\$ 2,560</b>	<b>\$ 2,560</b>

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith / Debtors****SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
1 <b><u>American General Finance</u></b> Bankruptcy Department 2011 Irving Park Rd Hanover Park IL 60133 <b>Acct #: 4070911003106759</b>	J	Dates: <b>2007</b> Reason: <b>Credit Extended to Debtor(s)</b>				\$ 2,500
2 <b><u>Applied Bank</u></b> Attn: Bankruptcy Dept. 601 Delaware Ave Wilmington DE 19801 <b>Acct #: XXXXX3313</b>	W	Dates: <b>1998</b> Reason: <b>Credit Card or Credit Use</b>				\$ 2,300
3 <b><u>Capital One</u></b> Attn: Bankruptcy Dept. Po Box 85520 Richmond VA 23285 <b>Acct #: XXXXX5889</b>	H	Dates: <b>2005</b> Reason: <b>Credit Card or Credit Use</b>				\$ 900

## UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Joseph Smith and Claire Marie Smith / Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Debtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
4 <b>Capital One</b> Attn: Bankruptcy Dept. Po Box 85520 Richmond VA 23285 <b>Acct #: XXXXX5889</b>		H	Dates: <b>1999</b> Reason: <b>Credit Card or Credit Use</b>				\$ 1,000
5 <b>Chase</b> Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081 <b>Acct #: XXXXX3313</b>		W	Dates: <b>2006</b> Reason: <b>Credit Card or Credit Use</b>				\$ 8,700
6 <b>Chase</b> Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081 <b>Acct #: XXXXX5889</b>		H	Dates: <b>2007</b> Reason: <b>Credit Card or Credit Use</b>				\$ 1,900
7 <b>Citi</b> Attn: Bankruptcy Dept. Po Box 6241 Sioux Falls SD 57117 <b>Acct #: XXXXX3313</b>		W	Dates: <b>2008</b> Reason: <b>Credit Card or Credit Use</b>				\$ 3,500
8 <b>Citi</b> Attn: Bankruptcy Dept. Po Box 6241 Sioux Falls SD 57117 <b>Acct #: XXXXX3313</b>		W	Dates: <b>2008</b> Reason: <b>Credit Card or Credit Use</b>				\$ 10,200
9 <b>Citifinancial</b> Attn: Bankruptcy Dept. Po Box 499 Hanover MD 21076 <b>Acct #: 6071304528363481</b>		W	Dates: <b>2008</b> Reason: <b>Personal Loan</b>				\$ 11,500
10 <b>Discover</b> Attn: Bankruptcy Dept. Po Box 15316 Wilmington DE 19850 <b>Acct #: XXXXX3313</b>		W	Dates: <b>2007</b> Reason: <b>Credit Card or Credit Use</b>				\$ 1,800

## UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Joseph Smith and Claire Marie Smith / Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Debtor Code	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
11 <b>Equifax</b> Attn: Bankruptcy Dept. P.O. Box 740241 Atlanta GA 30374 <b>Acct #: XXXXX5889</b>			Dates: <b>2009</b> Reason: <b>Notice Only</b>				
12 <b>Experian</b> Attn: Bankruptcy Dept. P.O. Box 2002 Allen TX 75013 <b>Acct #: XXXXX5889</b>			Dates: <b>2009</b> Reason: <b>Notice Only</b>				
13 <b>GEMB/Sam's Club</b> Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 <b>Acct #: XXXXX5889</b>		H	Dates: <b>2007</b> Reason: <b>Credit Card or Credit Use</b>				\$ 400
14 <b>HFC</b> Bankruptcy Dept PO Box 1547 Chesapeake VA 23327 <b>Acct #:</b>		J	Dates: <b>2007</b> Reason: <b>Credit Card or Credit Use</b>				\$ 19,800
15 <b>HSBC</b> Attn: Bankruptcy Dept. Po Box 5253 Carol Stream IL 60197 <b>Acct #: XXXXX5889</b>		H	Dates: <b>2006</b> Reason: <b>Credit Card or Credit Use</b>				\$ 500
16 <b>HSBC</b> Attn: Bankruptcy Dept. Po Box 5253 Carol Stream IL 60197 <b>Acct #: XXXXX5889</b>		H	Dates: <b>2007</b> Reason: <b>Credit Card or Credit Use</b>				\$ 1,800
17 <b>Target</b> Attn: Bankruptcy Dept. Po Box 673 Minneapolis MN 55440 <b>Acct #: XXXXX5889</b>		H	Dates: <b>2008</b> Reason: <b>Credit Card or Credit Use</b>				\$ 1,500

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith / Debtors****SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS**

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Code debtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
<b>18 TransUnion</b> Attn: Bankruptcy Dept. P.O. Box 1000 Chester PA 19022  <b>Acct #: XXXXX5889</b>			Dates: <b>2009</b> Reason: <b>Notice Only</b>				
<b>19 Wells Fargo Cards</b> Attn: Bankruptcy Dept. 3201 N 4Th Ave Sioux Falls SD 57104  <b>Acct #: XXXXX5889</b>		<b>J</b>	Dates: <b>2008</b> Reason: <b>Credit Card or Credit Use</b>				<b>\$ 6,800</b>

**Total Amount of Unsecured Claims**

(Report also on Summary of Schedules)

**\$ 75,100.00**

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors**

---

**SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

<b>Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract.</b>	<b>Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.</b>
<u>[x] None</u>	

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors**

---

**SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no codebtors.

**Name and Address of CoDebtor****Name and Address of the Creditor****[x] None**

## UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Joseph Smith and Claire Marie Smith, Debtors

Bankruptcy Docket #:

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status: <b>Married</b>	DEPENDENTS OF DEBTOR AND SPOUSE ~ RELATIONSHIP AND AGE	
	Son, 17, Son, 16, , ,	
	<b>DEBTOR EMPLOYMENT</b>	<b>SPOUSE EMPLOYMENT</b>
Occupation:	<b>RN</b>	<b>Web Manager</b>
Name of Employer:	<b>Central DuPage Hospital</b>	<b>Congregation of the Passion</b>
Years Employed	<b>3 years</b>	<b>24 years</b>
Employer Address:	<b>25 N Winfield Rd</b>	<b>5700 N Harlem Ave</b>
City, State, Zip	<b>Winfield, IL 60190</b>	<b>Chicago, IL 60631</b>

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE
1. Monthly Gross Wages, Salary, and commissions (Prorate if not paid monthly.)	\$ 7,650.67	\$ 3,596.49
2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00
3. <b>SUBTOTAL</b>	<b>\$ 7,650.67</b>	<b>\$ 3,596.49</b>
4. LESS PAYROLL DEDUCTIONS		
a. Payroll Taxes and Social Security	\$ 1,313.78	\$ 727.96
b. Insurance	\$ 427.42	\$ 0.00
c. Union Dues	\$ 0.00	\$ 0.00
d. Other (Specify)	\$ 0.00	\$ 0.00
Pension:	\$ 0.00	\$ 0.00
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00
Child Support:	\$ 0.00	\$ 0.00
Life Insurance, Uniforms, 401K Loan:	\$ 38.22	\$ 0.00
5. <b>SUBTOTAL OF PAYROLL DEDUCTIONS</b>	<b>\$ 1,779.42</b>	<b>\$ 727.96</b>
6. <b>TOTAL NET MONTHLY TAKE HOME PAY</b>	<b>\$ 5,871.25</b>	<b>\$ 2,868.53</b>
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00
8. Income from real property	\$ 0.00	\$ 0.00
9. Interest and dividends	\$ 0.00	\$ 0.00
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00
11. Social Security or government assistance (Specify)	\$ 0.00	\$ 0.00
12. Pension or retirement income	\$ 0.00	\$ 0.00
13. Other monthly income (Specify) & &	\$ 0.00	\$ 0.00
Unemployment Income	\$ 0.00	\$ 0.00
14. <b>SUBTOTAL OF LINES 7 THROUGH 13</b>		
15. <b>AVERAGE MONTHLY INCOME</b> (Add amounts shown on lines 6 and 14)	<b>\$ 5,871.25</b>	<b>\$ 2,868.53</b>
16. <b>COMBINED AVERAGE MONTHLY INCOME</b> (Combine column totals from line 15. If there is only one debtor repeat total reported on line 15.)	<b>\$ 8,739.79</b>	

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:  
**None**



**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Brian Joseph Smith and Claire Marie Smith, Debtors

Bankruptcy Docket #:

**SCHEDULE J - CURRENT EXPENSES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

☐ Check box if joint petition is filed & debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

1. Rent or home mortgage payment (include lot rented for mobile home)					\$ 2,185.00	
a. Real Estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		b. Property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
2. Utilities:						
a. Electricity and Heating Fuel					\$ 425.00	
b. Water, Sewer, Garbage					\$ 90.00	
c. Cellphone, Internet					\$ 190.00	
d. Other <u>Home Phone and Cable Television</u>					\$ 225.00	
3. Home Maintenance (repairs and upkeep)					\$ 100.00	
4. Food					\$ 800.00	
5. Clothing					\$ 200.00	
6. Laundry and Dry Cleaning					\$ 75.00	
7. Medical and Dental Expenses					\$ 300.00	
8. Transportation (not including car payments) <u>Gas, Tolls/Parking, Fees/Licenses, Repair, Bus/Train</u>					\$ 726.00	
9. Recreation, Clubs and Entertainment, Newspapers, Magazines, etc.					\$ 100.00	
10. Charitable Contributions					\$ -	
11. Insurance (not deducted from wages or included in home mortgage payments)					\$ 111.00	
a. Homeowner's or Renter's					\$ -	
b. Life					\$ -	
c. Health					\$ -	
d. Auto					\$ 113.00	
e. Other					\$ -	
12. Taxes (not deducted from wages or included in home mortgage payments)					\$ 315.00	
(Specify) <u>Federal or State Tax Repayments, Real Estate Taxes</u>						
13. Installment Payments: (In Chapter 11, 12, and 13 cases, do not list payments to be included in plan)					\$ -	
a. Auto					\$ -	
b. Reaffirmation Payments					\$ -	
c. Other <u>Tobacco</u>		<u>\$125.00</u>				\$125.00
14. Alimony, maintenance and support paid to others					\$ -	
15. Payments for support of additional dependents not living at your home					\$ -	
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)					\$ -	
17. Other: Haircuts, Hygiene, Eyecare, Meds		Newspaper/Mags & Postage/Banking	Tuition, Books & GLS Repay:	Childcare & Babysitting	Pet Care:	
\$410.00		\$65.00	\$0.00	\$ -	\$ 100.00	
					\$575.00	

**18. AVERAGE MONTHLY EXPENSES** (Total lines 1-17. Report also on Summary of Schedules and if applicable, on the Stastical of Summary of Certain Liabilities and Related Data. **\$ 6,725.00**

19. Describe any increase/decrease in expenditures anticipated to occur within the year following the filing this document:  
*None*

**20. STATEMENT OF MONTHLY NET INCOME**

a. Average monthly income from Line 15 of Schedule I	\$ 8,739.79
b. Average monthly expenses from Line 18 above	\$ 6,725.00
c. Monthly net income (a. minus b.)	<b>\$ 2,014.80</b>
d. Total amount to be paid into plan monthly	<b>\$ 2,015.00</b>

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors**

Bankruptcy Docket #:

**DECLARATION CONCERNING DEBTOR'S SCHEDULES**

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated: 04/29/2009

/s/ Brian Joseph Smith**Brian Joseph Smith****X Date & Sign**

Dated: 04/29/2009

/s/ Claire Marie Smith**Claire Marie Smith****X Date & Sign**

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

**Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571**

**DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)**

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

**THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE**

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP**

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

**THIS SECTION ONLY APPLIES TO CORPORATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE**

**Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571**

## UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Joseph Smith and Claire Marie Smith, Debtors

## STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

## DEFINITIONS

**"In business."** A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

**"Insider."** The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

## 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE

2009: \$24,267

employment

2008: \$90,568

2007: \$90,686

Spouse

AMOUNT

SOURCE

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors****STATEMENT OF FINANCIAL AFFAIRS**

Spouse

AMOUNT

SOURCE

**2009: \$14,960****employment****2008: \$44,313****2007: \$43,211**

NONE

**X****02. INCOME OTHER THAN FROM EMPLOYMENT OR OPERATION OF BUSINESS:**

State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE

NONE

**X**

Spouse

AMOUNT

SOURCE

**03. PAYMENTS TO CREDITORS:**

Complete a. or b. as appropriate, and c.

a. INDIVIDUAL OR JOINT DEBTOR(S) WITH PRIMARILY CONSUMER DEBTS: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately proceeding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600.00. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address  
of CreditorDates of  
PaymentsAmount  
PaidAmount  
Still Owing**HFC****Monthly****\$2,185/mo****See Schedule D****Ford Motor Credit****Monthly****\$359/mo****See Schedule D****Wells Fargo****Monthly****\$405/mo****See Schedule D**

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors****STATEMENT OF FINANCIAL AFFAIRS**

NONE

**X**

b. DEBTOR WHOSE DEBTS ARE NOT PRIMARILY CONSUMER DEBTS: List each payment or other transfer to any creditor made with 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000 (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by each or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor	Dates of Payment/Transfers	Amount Paid or Value of Transfers	Amount Still Owing
---------------------------------	-------------------------------	--------------------------------------	-----------------------

NONE

**X**

c. ALL DEBTORS: List all payments made within 1 year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name & Address of Creditor & Relationship to Debtor	Dates of Payments	Amount Paid or Value of Transfers	Amount Still Owing
--	----------------------	--------------------------------------	-----------------------

NONE

**X****04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:**

List all lawsuits & administrative proceedings to which the debtor is or was a party within 1 (one) year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OF AGENCY AND LOCATION	STATUS OF DISPOSITION
---------------------------------------	----------------------------	------------------------------------	-----------------------------

NONE

**X**

04b. WAGES OR ACCOUNTS GARNISHED: Describe all property that has been attached, garnished or seized under any legal or equitable process within (1) one year preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person for Whose Benefit Property was Seized	Date of Seizure	Description and Value of Property
--	-----------------------	---

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors****STATEMENT OF FINANCIAL AFFAIRS**

NONE

**X****05. REPOSSESSION, FORECLOSURES AND RETURNS:**

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of  
Creditor or Seller

Date of Repossession, Foreclosure  
Sale, Transfer or Return

Description and  
Value of Property

NONE

**X****06. ASSIGNMENTS AND RECEIVERSHIPS:**

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and  
Address of  
Assignee

Date  
of  
Assignment

Terms of  
Assignment or  
Settlement

NONE

**X**

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one (1) year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and  
Address  
of Custodian

Name & Location  
of Court Case  
Title & Number

Date  
of  
Order

Description  
and Value of  
Property

NONE

**X****07. GIFTS:**

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person  
or  
Organization

Relationship  
to Debtor,  
If Any

Date  
of  
Gift

Description  
and Value  
of Gift

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors**

**STATEMENT OF FINANCIAL AFFAIRS**

## 08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Value of Property	Description of Circumstances and, if Loss Was Covered in Whole or in Part by Insurance, Give Particulars	Date of Loss
<b>Carpeting, \$1,700</b>	<b>Flood</b>	<b>July 2008</b>

## 09. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY:

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name and Address of Payee	Date of Payment, Name of Payer if Other Than Debtor	Amount of Money or Description and Value of Property
<b>Law Office of Peter Francis Geraci 55 E. Monroe Street #3400  Chicago, IL60603</b>		<b>Payment/Value: 3,500.00 \$100 paid prior to filing, balance paid through the plan.</b>
<b>Century Negotiations 1061 Main St Ste 19 North Huntingdon, PA 15642</b>	<b>11/2008-</b>	<b>\$3,000</b>

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Address of Payee	Date of Payment, Name of Payer if Other Than Debtor	Amount of Money or description and Value of Property
<b>MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227</b>	<b>2009</b>	<b>\$75.00</b>

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors****STATEMENT OF FINANCIAL AFFAIRS**

NONE

**X****10. OTHER TRANSFERS**

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of  
Transferee, Relationship  
to Debtor

Date

Describe Property  
Transferred and  
Value Received

NONE

**X**

10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Name of  
Trust or  
other Device

Date(s)  
of  
Transfer(s)

Amount and Date  
of Sale or  
Closing

NONE

**X****11. CLOSED FINANCIAL ACCOUNTS:**

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and  
Address of  
Institution

Type of Account, Last Four Digits  
of Account Number, and Amount of  
Final Balance

Amount and  
Date of Sale or  
Closing

NONE

**X****12. SAFE DEPOSIT BOXES:**

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Bank  
or Other Depository

Names & Addresses of Those With  
Access to Box or depository

Description of  
Contents

Date of Transfer or  
Surrender, if Any



**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors****STATEMENT OF FINANCIAL AFFAIRS**

NONE

**X****13. SETOFFS:**

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor	Date of Setoff	Amount of Setoff

NONE

**X****14. LIST ALL PROPERTY HELD FOR ANOTHER PERSON:**

List all property owned by another person that the debtor holds or controls.

Name and Address of Owner	Description and Value of Property	Location of Property

NONE

**X****15. PRIOR ADDRESS OF DEBTOR(S):**

If debtor has moved within three (3) years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

Address	Name Used	Dates of Occupancy

NONE

**X****16. SPOUSES and FORMER SPOUSES:**

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight (8) years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

Name

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors****STATEMENT OF FINANCIAL AFFAIRS**

NONE

**X****17. ENVIRONMENTAL INFORMATION:**

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of the these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law.

NONE

**X**

17a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

Site Name and Address	Name and Address of Governmental Unit	Date of Notice	Environmental Law
--------------------------	--	-------------------	----------------------

NONE

**X**

17b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

Site Name and Address	Name and Address of Governmental Unit	Date of Notice	Environmental Law
--------------------------	--	-------------------	----------------------

NONE

**X**

17c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

Name and Address of Governmental Unit	Docket Number	Status of Disposition
--	------------------	--------------------------

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors****STATEMENT OF FINANCIAL AFFAIRS**

NONE

**X****18 NATURE, LOCATION AND NAME OF BUSINESS**

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six (6) years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six (6) years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six (6) years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six (6) years immediately preceding the commencement of this case.

Name & Last Four Digits of Soc. Sec. No./Complete EIN or Other TaxPayer I.D. No.	Address	Nature of Business	Beginning and Ending Dates

NONE

**X**

b. Identify any business listed in subdivision a., above, that is "single asset real estate" as defined in 11 USC 101.

Name	Address

NONE

**X**

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

**19. BOOKS, RECORDS AND FINANCIAL STATEMENTS:**

List all bookkeepers and accountants who within two (2) years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

Name and Address	Dates Services Rendered

## UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Joseph Smith and Claire Marie Smith, Debtors

## STATEMENT OF FINANCIAL AFFAIRS

NONE

☒

19b. List all firms or individuals who within two (2) years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

Name	Address	Dates Services Rendered

NONE

☒

19c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

Name	Address

NONE

☒

19d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within two (2) years immediately preceding the commencement of this case.

Name and Address	Date Issued

NONE

☒

## 20. INVENTORIES

List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

Date of Inventory	Inventory Supervisor	Dollar Amount of Inventory (specify cost, market of other basis)

NONE

☒

b. List the name and address of the person having possession of the records of each of the inventories reported in a., above.

Date of Inventory	Name and Addresses of Custodian of Inventory Records

NONE

☒

## 21. CURRENT PARTNERS, OFFICERS, DIRECTORS AND SHAREHOLDERS:

a. If the debtor is a partnership, list nature and percentage of interest of each member of the partnership.

Name and Address	Nature of Interest	Percentage of Interest

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors**

**STATEMENT OF FINANCIAL AFFAIRS**

NONE

**X**

21. CURRENT PARTNERS, OFFICERS, DIRECTORS AND SHAREHOLDERS:

a. If the debtor is a partnership, list nature and percentage of interest of each member of the partnership.

Name and Address	Nature of Interest	Percentage of Interest

NONE

**X**

21b. If the debtor is a corporation, list all officers & directors of the corporation; and each stockholder who directly or indirectly owns, controls, or holds 5% or more of the voting or equity securities of the corporation.

Name and Address	Title	Nature and Percentage of Stock Ownership

NONE

**X**

22. FORMER PARTNERS, OFFICERS, DIRECTORS AND SHAREHOLDERS:

If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

Name	Address	Date of Withdrawal

NONE

**X**

22b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one (1) year immediately preceding the commencement of this case.

Name and Address	Title	Date of Termination

NONE

**X**

23. WITHDRAWALS FROM A PARTNERSHIP OR DISTRIBUTION BY A CORPORATION:

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

Name and Address of Recipient, Relationship to Debtor	Date and Purpose of Withdrawal	Amount of Money or Description and value of Property

**UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith and Claire Marie Smith, Debtors****STATEMENT OF FINANCIAL AFFAIRS**

NONE

**X****24. TAX CONSOLIDATION GROUP:**

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six (6) years immediately preceding the commencement of the case.

Name of  
Parent Corporation

Taxpayer  
Identification Number (EIN)

NONE

**X****25. PENSION FUNDS:**

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six (6) years immediately preceding the commencement of the case.

Name of  
Pension Fund

TaxPayer  
Identification Number (EIN)

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 04/29/2009

/s/ Brian Joseph Smith**Brian Joseph Smith****X Date & Sign**

Dated: 04/29/2009

/s/ Claire Marie Smith**Claire Marie Smith****X Date & Sign**

**Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571**

## UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Joseph Smith and Claire Marie Smith, Debtors

Bankruptcy Docket #:

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B**

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

**The compensation paid or promised by the Debtor(s), to the undersigned, is as follows:**

For legal services, Debtor(s) agrees to pay and I have agreed to accept	<b>\$3,500</b>
Prior to the filing of this Statement, Debtor(s) has paid and I have received	<b>\$100</b>
The Filing Fee has been paid.	<b>Balance Due      -\$3,400</b>

2. The source of the compensation paid to me was:

☒ Debtor(s) ☐ Other: (specify)

3. The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

☒ Debtor(s) ☐ Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: **None.**

4. The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: **None.**

**5. The Service rendered or to be rendered include the following:**

- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the **first scheduled** meeting of creditors.
- (d) Advice as required.

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

*Respectfully Submitted,*

Dated: 05/04/2009

**/s/ Jason A Kara**

Attorney Name: Jason A Kara

Bar No: 6294371

LAW OFFICES OF PETER FRANCIS GERACI

55 E. Monroe Street #3400

Chicago IL 60603

312.332.1800 (PH) 312.332.6354 (FAX)



**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

**Brian Joseph Smith, and Claire Marie Smith, Debtors**

---

**VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

**I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.**

Dated: 04/29/2009 /s/ Brian Joseph Smith  
Brian Joseph Smith

**X Date & Sign**

Dated: 04/29/2009 /s/ Claire Marie Smith  
Claire Marie Smith

**X Date & Sign**

---

\* Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property:  
Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

---





## NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

#### Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

#### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Dated: 04/29/2009 /s/ Brian Joseph Smith  
Brian Joseph Smith



Sign & Date  
Here

Dated: 04/29/2009 /s/ Claire Marie Smith  
Claire Marie Smith



Sign & Date  
Here

Dated: 05/04/2009 /s/ Jason A Kara  
Attorney: Jason A Kara Bar No: 6294371